

REMARKS

Claims 24-62, 64-66, 74-78 and 84-94 are currently pending. Claims 24-62, 64-66, 74-78, 84 and 85 have been allowed. Claim 87 stands objected to as being dependent on rejected independent claim 86. Claims 86, 88, 89 and 94 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,781,172 to Engel et al (hereinafter referred to as “Engel”) in view of U.S. Patent No. 5,530,455 to Gillick et al (hereinafter referred to as “Gillick”). Claims 86, 88-91 and 94 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,643,087 to Marcus et al (hereinafter referred to as “Marcus”) in view of Gillick. Claims 92 and 93 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Marcus in view of Gillick and further in view of U.S. Patent No. 4,825,157 to Mikan (hereinafter referred to as “Mikan”).

Applicant has amended claim 24-28, 31, 32, 34, 37, 39-41, 44-47, 53, 62 and 86. Support for the amendments can be found in the specification and drawings in the application as filed.

Applicant traverses the rejections and objections and respectfully requests reconsideration of the Application in light of the amendments above and the remarks below.

Claims 24-62, 64-66, 74-78, 84 and 85 – Allowed

The Applicant appreciates the allowance of claims 24-62, 64-66, 74-78, 84 and 85.

Claim 53

Applicant has amended claim 53 to correct a typographical error. The word ‘a’ was inadvertently omitted from the claim when it was originally presented. Applicant submits that amended claim 53 remains allowable and respectfully requests Examiner maintain claim 53 as allowed.

Claim 62

Applicant has amended claim 62 to correct a typographical error. The word ‘to’ was inadvertently omitted from the claim when it was originally presented. Applicant submits that amended claim 62 remains allowable and respectfully requests Examiner maintain claim 62 as allowed.

Claims 86, 88, 89 and 94 – 35 U.S.C. § 103(a)

The rejection of claims 86, 88, 89 and 94 under 35 U.S.C. § 103(a) as being unpatentable over Engel in view of Gillick is hereby traversed.

To support a rejection under 35 U.S.C. § 103(a), the combined references must teach or suggest each and every element of the claim. *See M.P.E.P. § 2142.*

Neither Engel nor Gillick disclose “a device comprising a housing configured to be operated by one hand such that no additional support is needed to operate the device” as recited in claim 86. Engel discloses “a joystick, mouse, or trackball.” *See Engel, Abstract.* Joysticks, mice and trackballs are well known in the art to require either two hands or a supporting surface to operate. Therefore, Engel does not disclose “a device comprising a housing configured to be operated by one hand such that no additional support is needed to operate the device.” Gillick discloses “a computer mouse 10 ... having three buttons 18, 20 and 22 and a roller 24.” *See Gillick, Column 3, lines 14-15.* As pointed out above, computer mice are configured to be operated along a supporting surface. As such, Gillick does not disclose “a device comprising a housing configured to be operated by one hand such that no additional support is needed to operate the device.” Therefore, the combination of Engel and Gillick does not teach or suggest each and every element of amended claim 86, and Applicant respectfully asserts that claim 86 is patentable over Engel in view of Gillick.

Applicant respectfully requests the Examiner withdraw the rejection to claim 86. As claims 88, 89 and 94 each depend from and further limit claim 86, Applicant respectfully asserts that claims 88, 89 and 94 are each patentable for at least the same

reasons as claim 86. Therefore, Applicant respectfully requests the Examiner withdraw the rejections to claims 88, 89 and 94.

Claims 86, 88-91 and 94 – 35 U.S.C. § 103(a)

The rejection of claims 86, 88-91 and 94 under 35 U.S.C. § 103(a) as being unpatentable over Marcus in view of Gillick is hereby traversed.

To support a rejection under 35 U.S.C. § 103(a), the combined references must teach or suggest each and every element of the claim. *See M.P.E.P. § 2142.*

Marcus does not disclose “a device comprising a housing configured to be operated by one hand such that no additional support is needed to operate the device” as recited in claim 86. Instead, Marcus discloses a device that is configured to be operated by two hands. *See Marcus, Fig. 2A.* As explained above, Gillick likewise does not disclose “a device comprising a housing configured to be operated by one hand such that no additional support is needed to operate the device.” Therefore, the combination of Marcus and Gillick does not teach or suggest each and every element of amended claim 86, and Applicant respectfully asserts that claim 86 is patentable over Marcus in view of Gillick.

Applicant respectfully requests the Examiner withdraw the rejection to claim 86. As claims 88-91 and 94 each depend from and further limit claim 86, Applicant respectfully asserts that claims 88-91 and 94 are each patentable for at least the same reasons as claim 86. Therefore, Applicant respectfully requests the Examiner withdraw the rejections to claims 88-91 and 94.

Claims 92 and 93 – 35 U.S.C. § 103(a)

The rejection of claims 92 and 93 under 35 U.S.C. § 103(a) as being unpatentable over Marcus in view of Gillick and further in view of Mikan is hereby traversed.

To support a rejection under 35 U.S.C. § 103(a), the combined references must teach or suggest each and every element of the claim. *See M.P.E.P. § 2142.*

Mikan does not disclose “a device comprising a housing configured to be operated by one hand such that no additional support is needed to operate the device” as

recited in claim 86. The Office Action cited Mikan for disclosing using a centering element, not because of any disclosure of a housing configured to be operated by one hand. In fact, Mikan does not disclose a housing configured to be operated by one hand. As such, Mikan does not disclose “a device comprising a housing configured to be operated by one hand such that no additional support is needed to operate the device.” As pointed out above, neither Marcus nor Gillick disclose “a device comprising a housing configured to be operated by one hand such that no additional support is needed to operate the device.” Therefore, the combination of Marcus, Gillick and Mikan does not teach or suggest each and every element of amended claim 86. Therefore, because claims 92 and 93 depend from and further limit claim 86, the combination of Marcus, Gillick and Mikan does not teach or suggest each and every element of claims 92 and 93.

Applicant respectfully requests the Examiner withdraw the rejection to claims 92 and 93.

Claim 87 – Objection

Claim 87 stands objected to as being dependent on rejected independent claim 86. In light of the amendment to claim 86 and the arguments made above, Applicant respectfully asserts that claim 87 is dependent from an allowable base claim and is in condition for allowance. Therefore, Applicant respectfully requests the Examiner withdraw the objection to claim 87.

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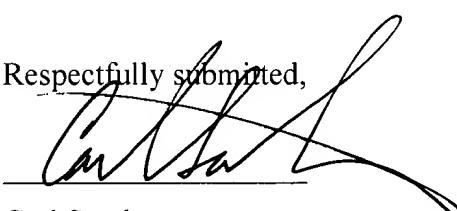
CONCLUSION

Applicant respectfully asserts that in view of the amendments and remarks above, all pending claims are allowable and Applicant respectfully requests the allowance of all claims.

Should the Examiner have any comments, questions, or suggestions of a nature necessary to expedite the prosecution of the application, or to place the case in condition for allowance, the Examiner is courteously requested to telephone the undersigned at the number listed below.

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Respectfully submitted,


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